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EXAMINER	
LOFTIN, CELESTE	

ART UNIT	PAPER NUMBER
2686	

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/521,968	VACQUIE, LUC	
	Examiner	Art Unit	
	Celeste L. Loftin	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 July 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *11-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *11-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *21 November 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *1/25/2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claim 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aaro et al. (Aaro), **U.S. Patent 6,662,020** in view of Brewer et al. (Brewer), **U.S. Patent 5,347,628.**

Regarding claim 11, Aaro discloses a mobile telecommunications device (2) of the type including

an information sender/receiver (14, 16) (reads on an infrared receiver and transmitter) **(col. 3 lines 1-5)**,

an information display screen (4) (reads on phone further includes known peripheral elements of a phone such as a keyboard, a display and an interface to communication network) **(col. 2 lines 59-65)**,

a user control interface (6, 8) (reads on phone further includes known peripheral elements of a phone such as a keyboard, a display and an interface to communication network) **(col. 2 lines 59-65)**,

a processor (20) (reads on a central controller with associated program and temporary memory for controlling the operation of mobile phone) **(col.2 lines 52-57)**, and

software (22) for execution by said processor (20) of a plurality of functions integrated into the device (2) (reads on a central controller with associated program and temporary memory for controlling the operation of mobile phone) **(col.2 lines 52-57)**,

further comprising monitoring means (26) adapted to analyze information received by said sender/receiver (14, 16) (depending on the mode switch the modes selector switches between operation controlled by the phone part and the operation controlled by the secure part and the mode indicator comprises an LED, this is lit when the mobile phone is in secure mode) **(col. 3 lines 35-40)** and means (24) for generating a pictogram (40) for notifying the user of the reception of information (reads on alternatively a specific symbol or pictogram may be displayed on the display to indicate the mode of operation) **(col. 3 lines 10-15)** and

having attributes modifiable at least under the control of said monitoring and analysis means (26), which pictogram (40) may be displayed on said display screen (4)) (depending on the mode switch the modes selector switches between operation controlled by the phone part and the operation controlled by the secure part and the mode indicator comprises an LED, this is lit when the mobile phone is in secure mode (alternatively a specific symbol or pictogram may be displayed on the display to indicate the mode of operation)) **(col. 3 lines 10-15 and 35-40)**.

Aaro fails to disclose the display being displayed to form a man/machine interface and further comprises areas (42, 50) for activating functions integrated into said device (2) accessible by the user via said control interface (6, 8) of the device (2) to activate corresponding functions.

In a similar field of endeavor, Brewer discloses that the pictogram (40) may be displayed on said display screen (4) to form a man/machine interface (reads on the control window includes a perspective graphical representation of an office) **(col. 3 lines 30-35)** and further comprises areas (42, 50) for activating functions integrated into said device (2) accessible by the user via said control interface (6, 8) of the device (2) to activate corresponding functions (reads on the user can customize the office of the control window and can put various data including files, applications, etc. in drawers of his or her choosing) **(col. 3 lines 40-53).**

At the time of the invention it would have been obvious of one skilled in the art to modify Aaro to include the display being displayed to form a man/machine interface and further comprises areas (42, 50) for activating functions integrated into said device (2) accessible by the user via said control interface (6, 8) of the device (2) to activate corresponding functions. Motivation for this modification would have been to eliminate the need for tutorials, training manuals or help.

Regarding claim 12, the combination Aaro and Brewer discloses a device according to claim 11. Aaro further comprising means (28) for monitoring the operating status of the device (2) (depending on the mode switch the modes selector switches between operation controlled by the phone part and the operation controlled by the secure part and the mode indicator comprises an LED, this is lit when the mobile phone is in secure mode) **(col. 3 lines 35-40)** and

said means (24) for generating the pictogram (40) with modifiable attributes are also under the control of said means (28) for monitoring the status of the device (2) for

the purposes of notifying the user of the operating status of the device (2) (depending on the mode switch the modes selector switches between operation controlled by the phone part and the operation controlled by the secure part and the mode indicator comprises an LED, this is lit when the mobile phone is in secure mode (alternatively a specific symbol or pictogram may be displayed on the display to indicate the mode of operation)) **(col. 3 lines 10-15 and 35-40)** .

Regarding claim 13, the combination Aaro and Brewer discloses a device according to claim 11. Aaro further discloses further comprising said **means** (24) for generating the pictogram (40) are also under the control of said parameter setting **means** (30) in order to generate a pictogram (40) as a function of the parameter setting means (depending on the mode switch(means for parameter settings) the modes selector switches between operation controlled by the phone part and the operation controlled by the secure part and the mode indicator comprises an LED (means for generating pictogram), this is lit when the mobile phone is in secure mode (alternatively a specific symbol or pictogram may be displayed on the display to indicate the mode of operation)) **(col. 3 lines 10-15 and 35-40)** .

Aaro fails to disclose a (20) means (30) for setting parameters of the pictogram (40) with modifiable attributes.

In a similar field of endeavor, Brewer discloses a (20) means (30) for setting parameters of the pictogram (40) with modifiable attributes (reads on the user can customize the office of the control window and can put various data including files, applications, etc. in drawers of his or her choosing) **(col. 3 lines 40-53).**

At the time of the invention it would have been obvious of one skilled in the art to modify the combination Aaro and Brewer to include the display being displayed to form a man/machine interface and further comprises areas (42, 50) for activating functions integrated into said device (2) accessible by the user via said control interface (6, 8) of the device (2) to activate corresponding functions. Motivation for this modification would have been to eliminate the need for tutorials, training manuals or help.

Regarding claim 14, the combination Aaro and Brewer discloses a device according to claim 13. Aaro further discloses wherein said parameter setting means (30) are adapted to deliver to said pictogram generation means (24) instructions to create and/or modify activation areas of said pictogram (40) with modifiable attributes (depending on the mode switch the modes selector switches between operation controlled by the phone part and the operation controlled by the secure part (the two parts exchange data with the mode selector) and the mode indicator comprises an LED (means for generating pictogram), this is lit when the mobile phone is in secure mode (alternatively a specific symbol or pictogram may be displayed on the display to indicate the mode of operation)) **(col. 3 lines 10-25 and 35-40)**.

Regarding claim 15, the combination Aaro and Brewer discloses a device according to claim 11. Brewer further discloses wherein at least one of said activation areas (42, 50) corresponds to portions of said pictogram (40) whose activation leads to the display thereof to a larger scale, thereby authorizing access by the user to a plurality of associated other activation areas (56, 58, 60) (movement of the drawer to the partially opened position has caused a window to be opened to be displayed in a partially

opened on display screen to contain a list of data that represents the contents of the drawer) **(col. 4 lines 1-10 and col. 3 lines 62-68)**.

At the time of the invention it would have been obvious of one skilled in the art to modify the combination Aaro and Brewer to include wherein at least one of said activation areas (42, 50) corresponds to portions of said pictogram (40) whose activation leads to the display thereof to a larger scale, thereby authorizing access by the user to a plurality of associated other activation areas (56, 58, 60). Motivation for this modification would have been to eliminate the need for tutorials, training manuals or help.

Regarding claim 16, the combination Aaro and Brewer discloses a device according to claim 11. Aaro further discloses said pictogram generation means (24) from pictograms contained in said memory (32) (depending on the mode switch the modes selector switches between operation controlled by the phone part and the operation controlled by the secure part (the two parts exchange data with the mode selector) and the mode indicator comprises an LED (means for generating pictogram), this is lit when the mobile phone is in secure mode (alternatively a specific symbol or pictogram may be displayed on the display to indicate the mode of operation) and the phone contains a temporary memory for controlling the overall functions of the mobile phone) **(col. 2 lines 52-55, col. 3 lines 10-25 and 35-40)**.

Aaro fails to disclose comprising a pictogram memory (32) associated with said pictogram generation means (24) and the activation of certain activation areas of a first

pictogram (40) leads to the display of another pictogram with modifiable attributes generated.

Brewer further discloses a comprising a pictogram memory (32) associated with said pictogram generation means (24) and the activation of certain activation areas of a first pictogram (40) leads to the display of another pictogram with modifiable attributes generated by (opening a the office door is opened several doors in a hall way are shown in display window, the doors in the hallway lead to rooms that contain icons that lead to other files and applications) **(col. 4 lines 29-45)**.

At the time of the invention it would have been obvious of one skilled in the art to modify the combination Aaro and Brewer to include comprising a pictogram memory (32) associated with said pictogram generation means (24) and the activation of certain activation areas of a first pictogram (40) leads to the display of another pictogram with modifiable attributes generated. Motivation for this modification would have been to eliminate the need for tutorials, training manuals or help.

Regarding claim 17, the combination Aaro and Brewer discloses a device according to claim 11. Brewer further disclose comprising another man/machine interface providing access to all of the functions integrated into the device (2) and said pictogram (40) comprises an activation area for selecting the other man/machine interface (opening a the office door is opened several doors in a hall way are shown in display window, the doors in the hallway lead to rooms that contain icons that lead to other files and applications) **(col. 4 lines 29-45)**.

At the time of the invention it would have been obvious of one skilled in the art to modify the combination Aaro and Brewer to include comprising another man/machine interface providing access to all of the functions integrated into the device (2) and said pictogram (40) comprises an activation area for selecting the other man/machine interface. Motivation for this modification would have been to eliminate the need for tutorials, training manuals or help.

3. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aaro et al. (Aaro), **U.S. Patent 6,662,020** in view of Brewer et al. (Brewer), **U.S. Patent 5,347,628,** in further view of King et al. (King), **US Publication 10,004,318.**

Regarding claim 18, the combination Aaro and Brewer discloses a device according to claim 17. The combination fails to discloses comprising a sequencer (36) adapted to activate said means (24) for generating the pictogram (40) to display a default pictogram on said display screen (4) after a predetermined time of inactivity of the device (2).

In a similar field of endeavor, King discloses comprising a sequencer (36) adapted to activate said means (24) for generating the pictogram (40) to display a default pictogram on said display screen (4) after a predetermined time of inactivity of the device (2) (a screen saver option is selected, the window displaying the picture is converted to a screen saver after a predetermined period of time) **(page 6 pargraph [0054]).**

At the time of the invention it would have been obvious of one skilled in the art to modify the combination Aaro and Brewer to include comprising a sequencer (36)

adapted to activate said means (24) for generating the pictogram (40) to display a default pictogram on said display screen (4) after a predetermined time of inactivity of the device (2). Motivation for this modification would have been to save battery power when not using the pictogram interface

4. Claim 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aaro et al. (Aaro), **U.S. Patent 6,662,020** in view of Brewer et al. (Brewer), **U.S. Patent 5,347,628,** in further view of Pallakoff, **U.S. Publication 10,113,239.**

Regarding claim 19, the combination Aaro and Brewer discloses a device according to claim 11. The combination fails to disclose said pictogram being anthropomorphic.

In a similar field of endeavor, Pallakoff discloses said pictogram being anthropomorphic (when the user operates controls on the phone to open the Web page associated with the URL, the device will display a flashing eye icon 602 on the direct-view display while the device is downloading and preparing that Web page for display) **(page 8 paragraph [0064]).**

At the time of the invention it would have been obvious of one skilled in the art to modify the combination to include said pictogram being anthropomorphic.. Motivation for this modification would have been to eliminate the need for tutorials, training manuals or help.

Regarding claim 20, the combination Aaro and Brewer discloses a device according to claim 19. Pallakoff further discloses comprising **at least one** activation area selected from the group comprising:

an activation area for contact list type functions level with the brain of said anthropomorphic pictogram (40);

an activation area for sound functions level with an ear of said anthropomorphic pictogram (40);

an activation area for visual functions level with an eye of said anthropomorphic pictogram (40) (when the user operates controls on the phone to open the Web page associated with the URL, the device will display a flashing eye icon 602 on the direct-view display while the device is downloading and preparing that Web page for display) **(page 8 paragraph [0064])**;

an activation area for personalization functions level with the heart of said anthropomorphic pictogram (40); and

an activation area for functions relating to short text messages level with a hand of said anthropomorphic pictogram (40).

At the time of the invention it would have been obvious of one skilled in the art to modify the combination Aaro and Brewer to include further discloses comprising **at least one** activation area selected from the group comprising an activation area for contact list type functions level with the brain of said anthropomorphic pictogram (40); an activation area for sound functions level with an ear of said anthropomorphic pictogram (40); an activation area for visual functions level with an eye of said anthropomorphic pictogram (40) an activation area for personalization functions level with the heart of said anthropomorphic pictogram (40); and an activation area for functions relating to short text messages level with a hand of said anthropomorphic

pictogram (40). Motivation for this modification would have been to eliminate the need for tutorials, training manuals or help.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Celeste L. Loftin whose telephone number is 571-272-2842. The examiner can normally be reached on Monday thru Friday 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CL

JOY K. CONTEE
PATENT EXAMINER